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Lambda Letters Project

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State Supreme Court upholds same-sex marriage

By Shirin Buckman, LLP board chair

It is with great pleasure that the Lambda Letters Project announces that the California Supreme Court has ruled it is unconstitutional to ban same-sex marriage in California. In so doing, it has become only the second supreme court in the United States to so rule.

On May 15 the California Supreme Court held that the California legislative and initiative measures limiting marriage to opposite-sex couples violate the state constitutional rights of same-sex couples and may not be used to preclude same-sex couples from marrying (*in re Marriage Cases*, S147999).

The court concluded that permitting opposite-sex couples to marry—while affording same-sex couples access only to the novel and less-recognized status of domestic partnership—improperly infringes a same-sex couple's constitutional rights to marry and to the equal protection of the laws as guaranteed by the California Constitution.

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Senate passes California Dream Act

By Boyce Hinman, chief lobbyist

On May 12 the state Senate approved the California Dream Act, SB 1301, and sent it to the state Assembly for their consideration. This bill would allow certain undocumented immigrants to receive scholarships from California's public colleges and universities. Lambda Letters provided major support for the bill. It sent over 2,000 letters and e-mails of support for the bill to the Senate.

Here is an explanation of SB 1301. Several years ago, the members of the Lambda Letters Project fought hard in support of AB 540. With our help that bill did pass.

Prior to the passage of AB 540, all undocumented youth who wanted to attend this state's public colleges and universities had to pay out of state tuition, which is at least twice as high as the tuition paid by the residents of California.

Undocumented immigrants had to pay the higher tuition even if they had been brought here by their parents at age one or two.

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Light at the end of the tunnel

By Boyce Hinman, chief lobbyist

What is the tunnel? It is a list of five constitutional initiatives that have been proposed for the November 2008 ballot. Two of those initiatives have already failed to qualify. One of the failed initiatives would have banned same-sex marriage and the other would have banned same-sex marriage and taken away the rights of domestic partners in California.

The supporters of another initiative have submitted more than enough signatures to the Secretary of State to qualify their initiative for the November ballot. The Secretary of State is now checking to see if there are enough valid signatures to qualify the initiative for the ballot. This initiative would amend state constitution to ban same-sex marriage in California. It appears, by the way, that the passage of this constitutional initiative banning same-sex marriage would overturn the recent California Supreme Court decision granting marriage rights to same-sex couples.

Signatures are now being gathered on petitions for two other constitutional initiatives. Both initiatives would amend California's constitution to ban same-sex marriage and to take away the rights of

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Lambda Letters progress report

Letters collected

April, 2008	50,236 letters & e-mails
In all of 2008	135,254 letters & e-mails

Dollars spent

April, 2008	\$9,726
In all of 2008	\$36,941

Can you help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender, and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; women; and people of low economic status. We urge elected officials to enact and support legislation that accomplishes this goal.

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LGBTI issue

Protect LGBTI community from discrimination

By Boyce Hinman, chief lobbyist

Last month we asked you to write to the Assembly Appropriations Committee in support of AB 2654. As of this writing, that committee has not yet voted on the bill. However, Lambda Letters members and friends have sent a lot of mail in support of the bill to the committee. We will also do an e-mail alert in support of the bill to try and get it approved by the committee and by the Assembly before the May 30 deadline. We hope it will be passed and sent to the Senate. So this month we are asking you to write to the Senate Judiciary Committee in support of the bill.

All through California's laws there are lists of rules prohibiting various types of discrimination. The problem is that the lists of rules vary considerably as to the types of discrimination that are prohibited. Some of those lists prohibit discrimination against the LGBTI community, while others do not. Some prohibit racial or religious discrimination, and others do not.

One effect of this is that people who should be protected against discrimination sometimes are not protected by the law. Another problem is that businesses can end up confused as to just what type of discrimination is prohibited for them. They may find that the rules are different for one of their business activities than for another of their activities. This can be very frustrating for someone who is trying to obey the law while running a business.

AB 2654 provides a very simple and sensible solution for this problem. It amends about a dozen laws found in the various government codes and places the same list of prohibited forms of discrimination in each of them. The list is the same list of prohibited forms of discrimination that is found in Government Code Section 11135 of the Unruh Civil Rights Act, which prohibits sexual orientation and gender identity based discrimination.

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Economic justice issue

Oppose youth labor in juvenile justice facilities

By Rebecca Chamow, legislative analyst

Currently the United States houses more prisoners in our state, federal, and private prisons than any other country in the world. In 2000, there were approximately two million inmates in prisons throughout the country, triple the number of inmates just 20 years earlier.

There is no simple explanation for this increase. However, many have argued that it is at least partly to do with the increasing use of inmates as a source of labor. Many corporations whose products we consume on a daily basis have learned that prison labor can be extremely profitable, in many cases as profitable as using sweatshop labor in developing nations.

SB 1261, a bill introduced by Senator Cox (R-Fair Oaks), relates to this issue. As the bill is currently written, the general manager of the Prison Industry Authority is authorized to order any public works project involving construction, renovation, or repair of prison facilities to be performed by inmate labor. This bill would shift that authority to the chairperson of the Prison Industry Board. In addition, it would include juvenile justice facilities in the law. This means that juveniles would be subject the same labor requirements as those incarcerated in adult prisons.

Allowing prison labor to take place in juvenile wards would be disgraceful. The private contracting of prisoners for work fosters incentives to lock people up and also takes jobs away from those in the general population. We are exploiting our prison population already by allowing corporations to use a labor pool where they do not have to pay for their health benefits, unemployment insurance, or workers' compensation. The last thing we need is to exploit our juveniles by making them subject to this as well.

Please write to the Assembly Public Safety Committee and ask them to oppose this terrible measure. 

People of color issue

Support rights to disaster relief without prejudice

By Marty Martinez, legislative analyst

During the wildfires that raged throughout San Diego in October 2007, people left their homes and sought refuge in temporary relief centers. Unfortunately, many people fleeing the disaster were asked for identification in order to enter the relief centers or to access the emergency services and supplies available there.

The reasons given for requesting these documents were inconsistent and unclear; moreover, the request for documents was not required by law for the provision of emergency assistance. Many people did not have identity documents with them and were consequently denied assistance or entry into relief centers. For the evacuees and their families, this aid was critical to their well-being.

For them there is a solution, even if it comes too late for this tragedy. AB 2327 (Caballero) will ensure that during a disaster-related emergency, relief, and recovery services are to be available to all disaster victims in a fair and expeditious manner.

This is an issue that could impact a person of color who is suspected of being an undocumented immigrant, as well as a homeless person or anyone who faces discrimination. At a time of crisis, we need to ensure that our emergency response is effective and compassionate, and focuses on the safety and well-being of all Californians.

AB 2327 simply requires that all entities performing emergency work strive to ensure that all victims receive the assistance they need, and that public employees shall not ask for information or documents that are not required by law.

Please send a letter of support for this bill today to the Senate Governmental Organization Committee. 

Assist, treat pregnant women for substance abuse

By Alex Widmann, legislative analyst

Consuming alcohol or drugs while pregnant poses severe health risks to the fetus that often lead to birth defects, developmental delays, and health complications later in life. Providing services to mothers with substance addictions is critical to reducing the number of babies born with alcohol and/or drug related complications.

A screening conducted of more than 30,000 pregnant women in California published in the *New England Journal of Medicine* showed that 11.35% tested positive for some type of substance usage. This number is extremely high and a frightening call for intervention.

AB 2129, a new bill currently under consideration by the state Assembly, would authorize the Department of Public Health to implement and administer various health care programs specifically for pregnant women, infants, and children. This new program would be all-inclusive and include screening, assessment, referral, and treatment of pregnant women using drugs or alcohol.

A program of this kind is long overdue in California, which has some of the highest numbers of birth defects due to use of drugs or alcohol throughout a pregnancy. In particular, fetal alcohol syndrome, induced by the consumption of alcohol during pregnancy, is the number-one cause of preventable birth defects and retardation in the United States.

Unborn fetuses are unable to protect themselves from the choices of their mothers. All too often addiction causes mothers to be unable to make healthy choices both for themselves and their children. Supporting these women and providing the tools that will allow them to make smart choices is a key step in decreasing the number of infants affected by drug and alcohol abuse while in the womb. Providing these supports through the

Combat sexually transmitted diseases in young people

By Boyce Hinman, chief lobbyist

California has demonstrated a strong commitment to comprehensive, medically accurate sexual health education and is considered a national leader in protecting reproductive health. Our state has never accepted federal abstinence-only funding, recognizing that abstinence-only programs do not reduce unintended pregnancies and sexually transmitted diseases (STDs), while comprehensive sexual health education programs that teach both about abstinence and contraception are more effective in assisting young people to make healthy decisions about sex.

In 2003 the legislature passed the California Comprehensive Health and HIV/AIDS Prevention Education Act (SB 71) requiring sexual health education taught in public schools to be comprehensive, medically accurate, bias-free, and age-appropriate with the following purpose:

- Provide a pupil with the knowledge and skills necessary to protect his or her sexual and reproductive health from unintended pregnancy and sexually transmitted diseases
- Encourage a pupil to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family

In 2007 the legislature passed AB 629 placing similar requirements on community-based sexual health education programs that are funded by the state.

Charter schools that choose to include sexual health education in their curriculum are currently exempt from these requirements. This opens the door for

program proposed by bill 2129 is a definitive step in this direction.

Please show your support for AB 2129 by writing to the Senate Health Committee urging them to vote in favor of this important bill. 

charter schools to adopt sexual health programs that may be biased, inaccurate, or incomplete, thus depriving students at these schools of basic information about sexuality and reproductive health. As the number of charter schools and students in charter schools continues to grow, the exemption of charter schools from California's basic requirements for the teaching of comprehensive sexuality education becomes an even greater cause for concern.

SB 1600 does not require charter schools to provide sexual health education. The academic freedom of charter schools is preserved in this matter. However, those charter schools that do choose to provide sexual health education would be required to meet the same basic standards that all other public schools must currently meet regarding comprehensive, bias free, age-appropriate, and medically accurate sexual health instruction.

The American Academy of Pediatrics, American Medical Association, Centers for Disease Control and Prevention, Institute of Medicine, Office of National AIDS Policy, National Institutes of Health, Society for Adolescent Medicine, and the Surgeon General of the United States have each published research analyses supporting the effectiveness of comprehensive sexual health education. Additionally, recent data from the Public Health Institute of California shows overwhelming parental support (82%) across California for the comprehensive sexual health education required by California law.

SB 1600 would assure that if students in charter schools do get sexual health education, they will get the most effective form of that education. It is a very important bill.

Please write to the Assembly Education Committee and urge them to support this important bill. 

June legislative update

Many deadlines for the passage of bills have now passed. The deadlines vary depending on whether a bill is expected to cost the state significant money. Bills expected to cost the state a lot of money are called fiscal bills and they must first go to a policy committee and then to the Appropriations Committee.

In theory, the policy committee considers whether or not the bill makes good policy sense. The Appropriations Committee then decides whether it thinks the bill is a good use of the state's money. Bills that are not expected to cost the state much money are called non-fiscal bills. They can go right to the floor of the Senate or Assembly if approved by their policy committee.

If a bill has been referred to a committee, but has not yet been given a date to be voted on, the Status line will simply list the committee. If a bill has been assigned a date to be voted on, that date will appear on the status line.

April 18 was the deadline for policy committees to approve all fiscal bills and send them to the Appropriations Committee. The policy committees had until May 2 to approve all non-fiscal bills that were introduced in the legislature this year, and send them to the floor of the first house they were introduced in. For example, a non-fiscal bill introduced in the Assembly this year had to be sent to the floor of the Assembly by May 2. May 23 was the last day for the Appropriations Committee of each house to approve bills introduced in their house this year.

Finally, May 30 was the deadline for bills introduced this year to be passed by their house of origin. For example, a bill introduced in the Assembly this year had to be approved by the full Assembly by May 30. Any bills that fail to meet any of these deadlines are now dead.

Note: Because of our early deadline for submitting information to the newsletter, the status of some of the following bills may have changed by the time you read this. To get the latest information, visit lambdaletters.org and click the Legislative Update link in the main menu. The status of the bills in that list is updated daily.

Here is the bill list.

HIV/AIDS issues

AB 1894 (Paul Krekorian, D-Glendale)

Purpose: Would require health insurance plans and health care service plans to cover the cost of HIV testing and AIDS testing whether or not HIV is related to the primary diagnosis.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 1984 (Sandre Swanson, D-Oakland)

Purpose: Would require the state to make voluntary, confidential, HIV tests available to state prisoners. Would allow the state, with written consent of the prisoner, to share the person's HIV/AIDS status with other public agencies to help them determine the person's eligibility for public health and social service benefits.

Status: From APPR.: To APPR. SUSPENSE FILE.

LLP position: Support.

AB 2279 (Mark Leno, D-San Francisco)

Purpose: Would prohibit an employer from discriminating against a person because the person is a qualified patient or primary caregiver permitted to grow or use marijuana.

Status: Read second time. To third reading. 05/15/08 34 ASM THIRD READING FILE.

LLP position: Support.

AB 2737 (Mike Feuer, D-West Hollywood)

Purpose: Would allow a court to order a test for HIV or other communicable diseases from any arrestee whenever the blood or other bodily fluids of this person comes into contact with the skin of a peace officer, firefighter, or emergency medical person.

Status: In Senate. Read first time. To Com. on RLS. for assignment. 06/11/08 1:30 p.m. - John L. Burton Hearing Room (4203) SEN HEALTH.

LLP position: Watch.

AB 2743 (Lori Saldana, D-San Diego)

Purpose: Says the state will not assist in federal raids or prosecutions for marijuana-related offenses if the target is a qualified patient, a designated caregiver, or other person covered under state medical marijuana laws.

Status: From APPR.: To APPR. SUSPENSE FILE.

LLP position: Support.

AB 2899 (Anthony Portantino, D-Pasadena)

Purpose: Would require the state to develop an HIV counseling program available to all persons who receive HIV testing at a state funded testing site or clinic.

Status: From HEALTH: Remains in HEALTH.

LLP position: Support.

SB 1098 (Carole Migden, D-San Francisco)

Purpose: Would state that medical marijuana dispensaries are legal under California law and

would relieve them of liability for sales taxes owed prior to October 2005. In early years it was not clear that they should be charging sales taxes.

Status: Set, first hearing. Testimony taken. Further hearing to be set.

LLP position: Support.

SB 1184 (Sheila Kuehl, D-Los Angeles)

Purpose: Would require clinical laboratories to report all CD4 count test results to the local health officer within seven days of the completion of the CD4 count test. If a CD4 count test result is related to a case of HIV infection, the local health officer would be required to report the case of HIV infection or AIDS to the state within 45 days of receipt of the report. CD4 count test results would be confidential and may not be used as evidence in court. If the clinical laboratory CD4 count test result is not related to a case of HIV infection, the local health officer shall destroy the laboratory CD4 count test report.

Status: From committee with author's amendments. Read second time. Amended. Re-referred to Com. on HEALTH. 06/10/08 1:30 p.m. - Room 4202 ASM HEALTH.

LLP position: Watch.

SB 1600 (Sheila Kuehl, D-Los Angeles)

Purpose: Would require charter schools to provide HIV/AIDS education to students.

Status: Read second time. To third reading. 05/15/08 39 SEN THIRD READING FILE.

LLP position: Support.

SJR 20 (Carole Migden, D-San Francisco)

Purpose: Would urge the federal government to stop prosecuting medical marijuana dispensaries that are legal under California law.

Status: Read second time. Amended. Re-referred to Com. on JUD.

LLP position: Support.

Economic justice issues

AB 2 (Mervyn Dymally, D-Compton)

Purpose: Would continue a program that provides affordable health insurance to those who are otherwise uninsurable due to medical history.

Status: To inactive file on motion of Senator Perata.

LLP position: Support.

AB 100 (Gene Mullin, D-San Mateo)

Purpose: Would authorize a bond issue, if approved by the voters, of \$9,087,000,000 for public grade schools, high schools, colleges and universities to construct or improve educational facilities.

Status: Referred to Com. on RLS.

LLP position: Support.

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Legislative update

Continued from page 5

AB 1758 (Chuck DeVore, R-Irvine)

Purpose: Would require California's public colleges and universities to waive fees and tuition for members of the California National Guard.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Watch.

AB 1780 (Cathleen Galgiani, D-Stockton)

Purpose: The state is supposed to reimburse counties for certain public mental health programs. They failed to do so for these particular programs for several counties. This bill will put in place regulations to prevent that from happening again.

Status: Read second time. To third reading. 05/15/08 141 ASM THIRD READING FILE.

LLP position: Support.

AB 1887 (Jim Beall, D-San Jose)

Purpose: Would require that certain health care service plan contracts and health insurance policies issued should cover the diagnosis and treatment of a mental illness as defined as a mental illness by the Diagnostic and Statistical Manual IV.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 1900 (Pedro Nava, D-Santa Barbara)

Purpose: Would allow counties to increase fees for certified copies of death certificates by up to \$3 per copy if needed to fund services to senior citizens. Would also allow counties to increase fines for elder abuse by 10% and use the money for senior services.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 1966 (Bonnie Garcia, R-Cathedral City)

Purpose: Establishes rules and procedures to

encourage more schools in limited income neighborhoods to provide breakfast to students.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 1996 (Sandre Swanson, D-Oakland)

Purpose: Would allow people convicted of drug felonies to qualify for food stamps after getting out of prison, under certain conditions, if they successfully complete a government-recognized drug treatment program while in jail or are in such a program or are on a waiting list for it.

Status: Read second time. To third reading. 05/15/08 12 ASM THIRD READING FILE.

LLP position: Watch.

AB 2097 (Joe Coto, D-San Jose)

Purpose: Would authorize a redevelopment agency to provide construction, operation, and maintenance funding from the Low and Moderate Income Housing Fund to emergency shelters and supportive services to permanent housing for those who are homeless or have special needs.

Status: Read second time. To third reading. 05/15/08 104 ASM THIRD READING FILE.

LLP position: Support.

AB 2099 (Loni Hancock, D-El Cerrito)

Purpose: Would provide that prior to each juvenile and adult being released on parole, the department shall take reasonable steps to ensure that each parolee successfully obtains a valid California identification card issued by the Department of Motor Vehicles.

Status: In committee: Set, first hearing. Referred to APPR. suspense file. **LLP position:** Support.

AB 2125 (Curren Price, D-Inglewood)

Purpose: Would require juvenile justice plans to assess job training services and strategies, and require a demonstration of their effectiveness at reducing delinquency through job training and employment to qualify for funding.

Status: Referred to Com. on PUB. S.

LLP position: Support.

AB 2229 (Jared Huffman, D-San Rafael)

Purpose: Would provide for one dental examination per year for Medi-Cal beneficiaries living in long-term care facilities as a covered Medi-Cal benefit.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2337 (Jim Beall, D-San Jose)

Purpose: Would require alcohol and drug counselors to report evidence of child abuse to authorities.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Oppose.

AB 2368 (Felipe Fuentes, D-Arleta)

Purpose: Would exclude the value of a licensed motor vehicle from consideration when determining or redetermining CalWORKs eligibility.

Status: Read second time. To third reading. 05/15/08 151 ASM THIRD READING FILE.

LLP position: Support.

AB 2372 (Joe Coto, D-San Jose)

Purpose: Would limit tuition and fees charged at the California State University and the University of California to those in effect during the 2008-09 academic year. Beginning in 2014, any increase in tuition and fees would be limited to the annual percentage change in the California Consumer Price Index. Would also increase income taxes for those with income of over \$1 million to help cover costs of colleges which are not covered by tuition received.

Status: From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 5. Noes 4.) (May 12).

LLP position: Support.

AB 2409 (Pedro Nava, D-Santa Barbara)

Purpose: Would prohibit the destruction of records of a ward who was 14 years of age or older at the time he or she committed a sexually violent offense. Would authorize, in any investigation, action, or proceeding based on the sexually violent predator laws, the Department of Corrections and Rehabilitation, the State Department of Mental Health, and the attorney petitioning for commitment, or their agents, to obtain and use records that have been sealed.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Oppose.

AB 2463 (Mike Davis, D-Los Angeles)

Purpose: Would require the state to award a grant to the Charles R. Drew University of Medicine and Science, in conjunction with the Diabetic Amputation Prevention Foundation, to conduct a diabetes and hypertension prevention and awareness pilot program in south Los Angeles.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

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AB 2586 (Alberto Torrico, D-Fremont)
Purpose: Would require that, in many circumstances, rental tenants be given 60 days notice to vacate. Includes other provisions to protect tenants in mortgage foreclosure situations.
Status: Read second time. To third reading. 05/15/08 158 ASM THIRD READING FILE.
LLP position: Support.

AB 2716 (Fiona Ma, D-San Francisco)
Purpose: Would provide that an employee who works in California for seven or more days in a calendar year is entitled to paid sick time.
Status: In committee: Set, first hearing. Referred to APPR. suspense file.
LLP position: Support.

AB 2726 (Mark Leno, D-San Francisco)
Purpose: Would extend to 2012 a pilot program in the Department of Public Health to buy healthy foods and make them available to people in low income neighborhoods and would allow the program to be carried on with funds from any source, not just on appropriation of adequate funds by the legislature.
Status: In committee: Set, first hearing. Referred to APPR. suspense file.
LLP position: Support.

AB 2844 (John Laird, D-Santa Cruz)
Purpose: Current law requires that a redetermination of eligibility for food stamps and CalWORKs be done quarterly. This bill would change that semiannually.
Status: In committee: Set, first hearing. Referred to APPR. suspense file.
LLP position: Support.

AB 2879 (Mark Leno, D-San Francisco)
Purpose: Would establish a process for closer monitoring of employers who may be violating wage and hour laws or who may be paying too little in payroll taxes to the state.
Status: In committee: Set, first hearing. Referred to APPR. suspense file.
LLP position: Support.

AB 2897 (Loni Hancock, D-El Cerrito)
Purpose: Would raise maximum state income tax to 10%-11% of taxable income. Would raise the maximum alternate minimum state income tax to 8.5% of taxable income. This would raise state revenue and reduce pressure to cut vital health and social service programs.
Status: In committee: Set, first hearing. Hearing canceled at the request of author.
LLP position: Support.

AB 2929 (Loni Hancock, D-El Cerrito)
Purpose: Would require the Department of Corrections to develop a comprehensive reentry program for parolees to assist in the successful reintegration of parolees into the community, which would include providing a copy of any parole plan to the sheriff of the county into which an inmate is released.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.
LLP position: Support.

AJR 3 (Mervyn Dymally, D-Compton)
Purpose: To ask Congress and the President to increase funds for the Low Income Energy Assistance Program and to appropriate the entire amount to the states.
Status: Referred to Com. on U. & C.

LLP position: Support.

SB 32 (Darrell Steinberg, D-Sacramento)
Purpose: Would allow all California children whose family income is under 300% of the federal poverty level access to the Medi-Cal and Healthy Families programs and would eliminate the rules that deny coverage to some based on citizenship or immigration status.

Status: Placed on inactive file on request of Assemblymember Bass.
LLP position: Support.

SB 42 (Tom Torlakson, D-Concord)
Purpose: Would exempt CalWORKs recipients from work if they have applied for, but not yet been accepted by an approved education program.

Status: Placed on inactive file on request of Assemblymember Nunez.
LLP position: Support.

SB 840 (Sheila Kuehl, D-Los Angeles)
Purpose: Would create a single payer health care system to provide health insurance to all residents of the state of California.

Status: Read second time. Amended. Referred to Com. on APPR.

LLP position: Support.

SB 1101 (Gilbert Cedillo, D-Los Angeles)
Purpose: Would allow taxpayers, until January 1, 2014, to designate on their tax returns that an amount in excess of their tax liability be contributed to the Emergency Food for Families Fund.

Status: In Assembly. Read first time. Held at Desk.
LLP position: Support.

SB 1132 (Carole Migden, D-San Francisco)
Purpose: Would say that foster children on Medi-Cal do not have to re-apply for Medi-Cal when they become 18 and age out of foster care.
Status: Placed on APPR. suspense file.
LLP position: Support.

SB 1136 (Elaine Alquist, D-San Jose)
Purpose: Would prohibit anyone from charging an unreasonable fee to represent or aid someone in the procurement of public social services.

Status: In Assembly. Read first time. Held at Desk.
LLP position: Support.

SB 1147 (Ronald Calderon, D-Montebello)
Purpose: Would require that Medi-Cal services be suspended, but that eligibility not be terminated, when a youth is sent to jail. This would allow for faster re-establishment of Medi-Cal services when the youth is released.
Status: Placed on APPR. suspense file.
LLP position: Support.

SB 1199 (Leland Yee, D-San Francisco)
Purpose: Would reduce the maximum sentence for a murder committed by someone under 18 from life without possibility of parole to 25 years to life.
Status: Read second time. To third reading. 05/15/08 26 SEN THIRD READING FILE.
LLP position: Support.

SB 1250 (Leland Yee, D-San Francisco)
Purpose: Would require that youth jail facilities take steps to increase communication between juvenile inmates and their families and to keep families informed of the health and other conditions of their children in juvenile facilities because this has been shown to reduce additional crimes by youth once they are released from jail.

Status: From SECOND READING. Read second time. To THIRD READING. 05/15/08 76 SEN THIRD READING FILE.

LLP position: Support.

SB 1261 (Dave Cox, R-Roseville)
Purpose: Would require the use of inmate labor in construction, repair or renovation of prison or juvenile justice facilities.
Status: To Com. on PUB. S.
LLP position: Oppose.

SB 1341 (Alex Padilla, D-Van Nuys)
Purpose: Would allow people to save money to secure permanent rental housing or to make rent payments to overcome an episode of homelessness without those savings being considered excess assets that might disqualify them for CalWORKs.

Status: To Com. on HUM. S.
LLP position: Support.

SCR 69 (Jeff Denham, R-Modesto)
Purpose: Would require that all votes on budget bills in committees, as well as on the Senate and Assembly floors, require a two-thirds majority to pass.

Status: From committee with author's amendments. Read second time. Amended. Referred to Com. on RLS.

LLP position: Oppose.

LGBTI issues

AB 250 (Chuck DeVore, R-Irvine)
Purpose: Would allow the owner of real property to complete a brief document transferring the

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property to another person upon the death of the owner. The property transferred would not have to go through the probate process.

Status: From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.

LLP position: Support.

AB 624 (Joe Coto, D-San Jose)

Purpose: Would require foundations with assets over \$250,000,000 to report information about the communities served (including the LGBT community) and about the foundation's governance and about the makeup of its board of directors.

Status: From B., P. & E.D.: Remains in B., P. & E.D..

LLP position: Watch.

AB 1757 (Mary Hayashi, D-Hayward)

Purpose: Would add the domestic partners of victims of a crime to a list of people allowed to testify at the parole hearing of a person who committed the crime.

Status: Read second time. To third reading. 05/15/08 118 ASM THIRD READING FILE.

LLP position: Support.

AB 2567 (Mark Leno, D-San Francisco)

Purpose: Would require the governor to proclaim May 22 of each year as Harvey Milk Day. Would encourage schools to conduct suitable commemorative exercises on that date.

Status: Read second time. To third reading. 05/15/08 32 ASM THIRD READING FILE.

LLP position: Support.

AB 2654 (John Laird, D-Santa Cruz)

Purpose: Existing law prohibits state-funded contractors and sub-contractors from employment discrimination based on certain protected classes. AB 2654 would include several other protected classes, including sexual orientation, as prohibited bases of discrimination when the state issues contracts and sub-contractors with non-state entities. AB 2654 applies to employees of housing construction firms and health, auto, property, and surety insurance providers. The bill also prohibits health insurance providers from discrimination based on these additional protected classes.

Status: Re-referred to Com. on APPR.

LLP position: Support.

AB 2673 (Mike Feuer, D-West Hollywood)

Purpose: For some counties, under current law, if a deceased retiree has a child under 18, and a domestic partner, the child would get the retiree's pension, not the domestic partner. This bill would make the domestic partner the primary beneficiary in these counties even when there is a surviving minor child.

Status: In Senate. Read first time. To Com. on RLS. for assignment.

LLP position: Support.

SB 1066 (Carole Migden, D-San Francisco)

Purpose: Would allow heterosexuals to register as domestic partners even if both of them are under age 62.

Status: Placed on APPR. suspense file.

LLP position: Support.

SB 1729 (Carole Migden, D-San Francisco)

Purpose: Would require training for employees of senior care facilities to prevent sexual orientation or gender identity based discrimination in those facilities.

Status: Placed on APPR. suspense file.

LLP position: Support.

People of color issues

AB 158 (Fiona Ma, D-San Francisco)

Purpose: Would allow people who have hepatitis B to qualify for Medi-Cal before they become disabled in hopes of preventing disability.

Status: Do pass, but re-refer to the Committee on Appropriations.

LLP position: Support.

AB 512 (Sally Lieber, D-Mountain View)

Purpose: Requires that when a business person negotiates specified loans or extensions of credit primarily in the languages of Spanish, Chinese, Tagalog, Vietnamese, and Korean then that person must provide summaries of the loan or credit documents in those languages.

Status: Re-referred to Com. on RLS. pursuant to Senate Rule 29.10. Re-referred to Com. on B., F. & I. pursuant to Senate Rule 29.10. (Ayes 4. Noes 0.)

LLP position: Support.

AB 1154 (Mark Leno, D-San Francisco)

Purpose: Would require the state to develop a diabetes risk reduction pilot program within the minimum number of counties necessary to represent the demographic populations in the state to review, analyze, and report on the outcomes from integrative care of diabetes through proactive prevention.

Status: Referred to Com. on HEALTH. 06/11/08 1:30 p.m. - John L. Burton Hearing Room (4203) SEN HEALTH.

LLP position: Support.

AB 1871 (Joe Coto, D-San Jose)

Purpose: Would allow the Commission on Teacher Credentialing to issue authorizations of bilingual, cross-cultural competence to specified holders of teaching credentials who will be serving limited-English-proficient pupils.

Status: Referred to Com. on ED.

LLP position: Support.

AB 1930 (Alberto Torrico, D-Fremont)

Purpose: Would require California to take steps to make sure that people with limited English skills will be adequately protected in an emergency situation or natural disaster.

Status: Read second time. To third reading. 05/15/08 121 ASM THIRD READING FILE.

LLP position: Support.

AB 2034 (Fabian Nunez, D-Los Angeles)

Purpose: Would require the State Board of Education to ensure that instructional materials include American Indians and encourage instruction about American Indians, emphasizing California Native Americans.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2056 (Kevin De Leon, D-Los Angeles)

Purpose: Would allow schools to use certain unexpended funds received, from the State, to provide intensive instruction and services to help pupils who are English language learners in grades 9 or 10 who are at risk of not passing one or both portions of the California High School Exit Examination.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2064 (Juan Arambula, D-Fresno)

Purpose: Would require the State Board of Education to ensure that instructional materials include instruction on the Vietnam War, the "Secret War" in Laos, the role of Southeast Asians in that war, and the refugee/immigrant/new American experience.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2076 (Felipe Fuentes, D-Arleta)

Purpose: Would prohibit the State from participating in any electronic employment eligibility verification system, unless required by federal law. The bill would also prohibit a county or municipality from requiring any employer to use an electronic employment eligibility verification system.

Status: Read second time. To third reading. 05/15/08 47 ASM THIRD READING FILE.

LLP position: Support.

AB 2083 (Fabian Nunez, D-Los Angeles)

Purpose: Would allow certain undocumented immigrants to qualify for institutional financial aid award scholarships not paid for out of the state General Fund.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2089 (Chuck DeVore, R-Irvine)

Purpose: Would prohibit the state from contracting with employers who knowingly hire

undocumented immigrants. Would require state contractors to inform the state within three days of discovering that an employee is an undocumented immigrant.

Status: In committee: Set, first hearing. Failed passage.

LLP position: Oppose.

AB 2102 (Mimi Walters, R-Laguna Hills)

Purpose: Would require state agencies to use the federal E-Verify system to check whether their employees are legal permanent residents. Would require state contractors to do the same. **Status:** In committee: Set, first hearing. Failed passage.

LLP position: Oppose.

AB 2106 (Mary Hayashi, D-Hayward)

Purpose: Would ban the manufacture or sale of cosmetics with certain ingredients.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2200 (George Plescia, R-San Diego)

Purpose: Would enact legislation to prohibit any person from concealing, harboring, or sheltering undocumented immigrants.

Status: Failed Deadline pursuant to Rule 61(b)(6). Last location was PRINT.

LLP position: Oppose.

AB 2201 (George Plescia, R-San Diego)

Purpose: Would require state contractors to verify the employment eligibility of its employees in this state by using the federal E-Verify system, or any successor to that system.

Status: In committee: Hearing postponed by committee. (Refers to 4/15/2008 hearing).

LLP position: Oppose.

AB 2204 (Hector De La Torre, D-South Gate)

Purpose: Would require the county recorder to remove any clauses that violate non-discrimination laws from documents regarding the sale or transfer of ownership of real estate.

Status: Read second time. To third reading. Referred to Com. on APPR. pursuant to Joint Rule 10.5.

LLP position: Support.

AB 2327 (Anna Caballero, D-Salinas)

Purpose: Would require that all people affected by an emergency are provided with humanitarian services and other needed relief services. No state entity or employee shall require documents or identification from an individual seeking disaster relief or emergency services unless required by state or federal law.

Status: In Senate. Read first time. To Com. on RLS. for assignment.

LLP position: Support.

AB 2333 (Curren Price, D-Inglewood)

Purpose: Would require each public safety agency to provide the Attorney General's office

with copies of the policies it has in place to ensure that the use of derogatory epithets or adverse treatment of an individual based on, or because of, that individual's sex, race, color, ancestry, religion, national origin, ethnicity, disability, sexual orientation, marital status, or medical condition is prohibited.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2340 (Juan Arambula, D-Fresno)

Purpose: Would encourage school districts to schedule classes for English learner adults at times that would allow working adults to participate.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2405 (Juan Arambula, D-Fresno)

Purpose: Would permit a county to assess up to \$250 upon conviction for domestic violence, to be used to fund domestic violence prevention programs that focus on assisting women who are immigrants or refugees or who live in rural communities.

Status: Read second time. To third reading. 05/15/08 120 ASM THIRD READING FILE.

LLP position: Support.

AB 2419 (Bob Huff, R-Diamond Bar)

Purpose: Would require the police to notify the federal government when they arrest someone for driving under the influence if they suspect the person arrested is an undocumented immigrant.

Status: Referred to Com. on PUB. S.

LLP position: Oppose.

AB 2421 (Bob Huff, R-Diamond Bar)

Purpose: Would require state and local authorities to investigate and prosecute complaints that an employer is employing undocumented immigrants.

Status: In committee: Set, first hearing. Hearing canceled at the request of author.

LLP position: Oppose.

AB 2514 (Mike Eng, D-El Monte)

Purpose: Would provide direction to state and private projects by establishing procedures for the proper handling and preservation of historical human remains found at construction sites. Will ensure that local cultural and historical organizations are given the opportunity to provide recommendations for the treatment and disposition of the excavated archaeological human remains, in a timely matter.

Status: Read second time. To third reading. 05/15/08 155 ASM THIRD READING FILE.

LLP position: Support.

AB 2601 (John Benoit, R-Riverside)

Purpose: Would withhold vehicle license fee income from cities that declare themselves sanctuaries for undocumented immigrants.

Status: In committee: Set, first hearing. Failed passage.

LLP position: Oppose.

AB 2689 (Van Tran, R-Costa Mesa)

Purpose: Would require manufacturers of nail care products with hazardous substances in them to create documents, in the Vietnamese language, describing the hazards of the products and to provide them, when requested, to employers and employees in the nail care industry.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2762 (Mike Eng, D-El Monte)

Purpose: Would establish the Diversity Education Pilot Program, which would authorize the State Department of Education to award \$25,000 to five schools for necessary resources and tools to deal with incidents of hate crime or intergroup conflict on school campuses.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2812 (Jim Silva, R-Huntington Beach)

Purpose: Would allow the governor or local officials to declare a state of emergency in response to problems with border security. Presumably this is meant to allow a state of emergency if undocumented aliens are getting across the border.

Status: In committee: Set, first hearing. Hearing canceled at the request of author.

LLP position: Oppose.

AB 2826 (Tony Mendoza, D-Norwalk)

Purpose: Would cause a vote to be held on whether the president and Congress should create a pathway to citizenship for certain undocumented immigrants.

Status: In committee: Hearing postponed by committee. (Refers to 4/1/08 hearing.)

LLP position: Watch.

AB 2902 (Sandre Swanson, D-Oakland)

Purpose: Would require the Office of Multicultural Health to encourage the use of community-based health care workers to provide better health outcomes for underserved communities through the various public health programs.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2974 (Jose Solorio, D-Anaheim)

Purpose: Would require the state to establish a pilot English learner program for use in schools with a high percentage of English learners.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

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AB 3027 (Kevin De Leon, D-Los Angeles)

Purpose: Would require health care plans and insurance companies to send notices to their subscribers to inform subscribers about their right to language access services and procedures and to request assistance from their health plan or insurer. Notices would have to be in 13 languages.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

ACA 14 (Audra Strickland, R-Westlake Village)

Purpose: Would require people to provide evidence of their United States citizenship or right to lawfully reside in the United States when applying for a nonemergency state-funded public benefit.

Status: Read first time.

LLP position: Oppose.

AJR 44 (Bob Huff, R-Diamond Bar)

Purpose: Would urge Congress to amend the constitution to deny US citizenship to individuals born in the United States to parents who are neither US citizens nor legal permanent residents.

Status: From printer.

LLP position: Oppose.

AJR 47 (Felipe Fuentes, D-Arleta)

Purpose: Would urge Congress and the president to establish an official federal holiday to commemorate Cesar E. Chavez on his birthday, March 31.

Status: In committee: Set, first hearing. Hearing canceled at the request of author.

LLP position: Support.

SB 60 (Gilbert Cedillo, D-Los Angeles)

Purpose: Would allow the state to issue driver's licenses to certain undocumented immigrants when approval of that action is approved by the federal government as allowed under the federal real ID act.

Status: From THIRD READING: Pass and Retain. 05/15/08 180 ASM THIRD READING FILE.

LLP position: Support.

SB 1094 (Gilbert Cedillo, D-Los Angeles)

Purpose: Would establish the Office of Immigrant Affairs whose job would be to ensure the integration and civic participation of new citizens in the state.

Status: Placed on APPR. suspense file.

LLP position: Support.

SB 1115 (Carole Migden, D-San Francisco)

Purpose: Says that race, religious creed, color, national origin, age, gender, marital status, sex, or genetic predisposition shall not be considered to be a cause or other factor considered in any

determination of the amount of workers compensation benefit to award to an injured worker.

Status: To Com. on INS.

LLP position: Watch.

SB 1134 (Jenny Oropeza, D-Redondo Beach)

Purpose: Would establish a state-recognized Indian reservation for the Gabrielino-Tongva Tribe, a nonfederally recognized Indian tribe, effective immediately upon the certification of specified facts by the city or cities in which the reservation is located.

Status: From print. May be acted upon on or after March 2.

LLP position: Watch.

SB 1214 (Gilbert Cedillo, D-Los Angeles)

Purpose: Would add the unconstitutional deportation during the Great Depression of citizens and lawful permanent residents to Mexico to the instruction that is required to be provided in social studies classes, and to the material that the department is required to incorporate into publications that provide examples of curriculum resources.

Status: In Assembly. Read first time. Held at Desk.

LLP position: Support.

SB 1301 (Gilbert Cedillo, D-Los Angeles)

Purpose: Would allow the state's public colleges and universities to offer scholarships to certain undocumented immigrants.

Status: In Assembly. Read first time. Held at Desk.

LLP position: Support.

SJR 18 (Mark Wyland, R-San Juan Capistrano)

Purpose: Would require that all election ballots and ballot pamphlets be printed only in English.

Status: Re-referred to Com. on E., R. & C.A.

LLP position: Oppose.

Women's issues

AB 268 (Charles Calderon, Charles, D-City of Industry)

Purpose: Would allow a person to refuse to testify in court because of threats of harm to the witness by the person who does not want the person to testify.

Status: In committee: Hearing postponed by committee. (Refers to 6/26/07 hearing.)

LLP position: Support.

AB 437 (Dave Jones, D-Sacramento)

Purpose: Would overturn a court decision and would allow people who have experienced wage discrimination to get back wages all the way back to when the wage discrimination first occurred.

Status: To inactive file on motion of Assembly-member Jones.

LLP position: Support.

AB 499 (Sandre Swanson, D-Oakland)

Purpose: Would create a pilot project to train county workers to assist children that have been sexually exploited including those made to work as prostitutes.

Status: In committee: Hearing postponed by committee. (Refers to 4/28/08 hearing.)

LLP position: Support.

AB 1275 (Mark DeSaulnier, D-Martinez)

Purpose: Would allow counties to increase fees for copies of marriage certificates, birth certificates, fetal death records, and death records, by up to \$4, to fund oversight and coordination of domestic violence prevention, early intervention, and prosecution.

Status: In committee: Set, first hearing. Hearing canceled at the request of author. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L.GOV. 06/04/08 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT.

LLP position: Support.

AB 1771 (Fiona Ma, D-San Francisco)

Purpose: Would provide that, there is good cause for issuing a restraining order, in any case in which a complaint, information, or indictment charging a crime of domestic violence has been filed. The court may consider the underlying nature of the offense charged, and information provided to the court pursuant to a criminal history search.

Status: Read second time. To third reading. 05/15/08 108 ASM THIRD READING FILE.

LLP position: Support if website list of offenders is removed from bill.

AB 1774 (Sally Lieber, D-Mountain View)

Purpose: Would require health insurance plans and health care service plans to pay for gynecological cancer screening.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 1822 (Jim Beall, D-San Jose)

Purpose: Says a court shall deny any temporary or permanent award for spousal support to a party who has been convicted of a sexual offense in which the victim was a minor.

Status: In committee: Set, second hearing. Hearing canceled at the request of author.

LLP position: Support.

AB 1935 (Jean Fuller, R-Bakersfield)

Purpose: Would allow taxpayers to designate on their tax returns, that a specified amount in excess of their tax liability be transferred to the California Ovarian Cancer Research Fund.

Status: From REV. & TAX: Do pass. To APPR.

LLP position: Support.

AB 1955 (George Plescia, R-San Diego)

Purpose: Under existing law, in most cases, a

judge in any criminal action may not read or consider any written report of a law enforcement officer or witness, or other information or affidavit, after a complaint or accusatory pleading is filed but before a plea, finding, or verdict is made, without the defendant's consent. This bill says the judge can review those things when considering whether to issue a restraining order in a domestic violence case.

Status: Referred to Com. on PUB. S.
LLP position: Support.

AB 1962 (Hector De La Torre, D-South Gate)

Purpose: Would require health insurers to provide maternity care as a basic benefit.
Status: In committee: Set, first hearing. Referred to APPR. suspense file.
LLP position: Support.

AB 2035 (Fiona Ma, D-San Francisco)

Purpose: Would provide that liability for arrest during a domestic violence call involving mutual protective orders applies to the person reasonably believed to be the "dominant aggressor."

Status: Re-referred to Com. on RLS. by unanimous consent.

LLP position: Support.

AB 2052 (Ted Lieu, D-El Segundo)

Purpose: Would allow tenants who have been victims of domestic abuse or stalking to cancel a lease agreement and to be discharged from any obligation to pay rent for any period following 30 days from the quitting date.

Status: Read second time. To third reading. 05/15/08 10 ASM THIRD READING FILE.

LLP position: Support.

AB 2068 (Greg Aghazarian, R-Stockton)

Purpose: Would authorize the sheriff or marshall, for any order or injunction relating to harassment, workplace violence, domestic violence, or elder abuse, for which the sheriff or marshal provides service of process, to notify the petitioner by electronic or telephonic means within 24 hours after service of process that the order or injunction has been served on the respondent.

Status: Referred to Com. on PUB. S.

LLP position: Support.

AB 2129 (Jim Beall, D-San Jose)

Purpose: Would require the state to implement a model program for the universal screening, assessment, referral, and treatment of pregnant women and women of childbearing age who are suffering from drug and alcohol abuse.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2208 (Curren Price, D-Inglewood)

Purpose: Would create the Lupus Education and Awareness Program (LEAP) within the Department of Public Health. The program would conduct a needs assessment, public awareness

activities, professional education programs, a directory of lupus services and a grant program for private nonprofit organizations. Lupus is nine times more common in women than in men.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2234 (Anthony Portantino, D-Pasadena)

Purpose: Would require health insurance plans and health care service plans to cover a variety of tests for breast cancer instead of just requiring coverage for mammography as now is the case.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2304 (George Plescia, R-San Diego)

Purpose: Would prohibit a petition for name change, by a victim of domestic abuse or stalking, from being published by any means or in any public forum, including a hardcopy or an electronic copy.

Status: Referred to Com. on JUD.

LLP position: Support.

AB 2887 (Patty Berg, D-Santa Rosa)

Purpose: Says the Breast and Cervical Cancer Treatment Program for low-income and uninsured and underinsured individuals will cover digital and analog mammography where mammography services are otherwise covered under the program.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

AB 2972 (Sally Lieber, D-Mountain View)

Purpose: Would require the Department of Corrections and Rehabilitation to conduct a study of the effectiveness of the Family Foundations Program and the mother-infant care programs.

Status: In committee: Set, first hearing. Referred to APPR. suspense file.

LLP position: Support.

ACR 15 (Sally Lieber, D-Mountain View)

Purpose: Would commemorate January 2007 as cervical cancer awareness month.

Status: Referred to Com. on RLS.

LLP position: Support.

AJR 42 (Bonnie Garcia, R-Cathedral City)

Purpose: The federal Violence Against Women Act, enacted in 1994, established a policy of allowing immigrants who are victims of domestic violence to seek permanent legal residence. The bill would urge Congress not to take that right away.

Status: From printer.

LLP position: Support.

SB 265 (Gloria Romero, D-Los Angeles)

Purpose: Would state the Division of Juvenile

Justice shall explore options to provide programming for female offenders outside of division facilities. On or before January 1, 2009, the division shall transfer all female offenders out of division facilities.

Status: Placed on inactive file on request of Assemblymember Bass.

LLP position: Support.

SB 1348 (Gilbert Cedillo, D-Los Angeles)

Purpose: Would require the state to provide breast cancer screening services to any individual, age 40 and older, who meets both state and federal eligibility requirements. Would require an individual under 40 years of age to receive screening services if the individual is considered to be at high risk for breast cancer.

Status: Placed on APPR. suspense file.

LLP position: Support.

SB 1523 (Sheila Kuehl, D-Los Angeles)

Purpose: Would require that written notice to victims of domestic violence regarding the person alleged to have committed domestic violence, shelter services, community services, and restraining orders be translated into the most prevalent languages spoken by local limited-English-proficient communities.

Status: Placed on APPR. suspense file.

LLP position: Support.

SB 1578 (Dean Florez, D-Fresno)

Purpose: Would require the California State University, and request the Regents of the University of California, to establish an Office of Gender Equity (OGE), and to appoint a Title IX compliance officer who reports directly to the OGE within each respective university system. This bill would further require mandatory Title IX and gender equity training for all athletic department personnel and executive level university management.

Status: Set, first hearing. Hearing cancelled at request of author. (Refers to 4/9/08 hearing.)

LLP position: Support.

SB 1682 (Sheila Kuehl, D-Los Angeles)

Purpose: Would require Medi-Cal to pay more for family planning visits.

Status: To Com. on HEALTH.

LLP position: Support.

SB 1770 (Alex Padilla, D-Van Nuys)

Purpose: Would extend the sunset date of the Reproductive Rights Law Enforcement Act (RRLEA) and direct the California Commission on Peace Officers Standards and Training (POST) to develop guidelines and model procedures for investigation and reporting of anti-reproductive rights crimes. This bill would help to ensure women's access to essential reproductive health care services.

Status: From SECOND READING.: Read second time. To THIRD READING. 05/15/08 86 SEN THIRD READING FILE.

LLP position: Support. 

Light at the end of the tunnel

Continued from page 1

domestic partners in California.

So the dark tunnel is that the voters may well vote in support of one of the initiatives that both ban same-sex marriage and domestic partner benefits. The light at the end of the tunnel is that the initiatives that ban domestic partner benefits seem to have serious legal flaws. I am not an attorney, and only an attorney can determine whether or not I am right, but here is my take on the situation.

Each of the initiatives banning domestic partner benefits revoke all the California and local government laws and policies which provide benefits to domestic partners. However, they also prohibit state or local legislative bodies, and state and local officials, from granting benefits to domestic partners in the future.

In 1992 the voters of Colorado passed an amendment to their constitution (Amendment 2) that did two things. First, it overturned any state or local laws or policies banning discrimination against homosexuals. Second, it forbade the state of Colorado, local governments in the state, state courts, and any officers in state or local government from enacting any new laws, policies, or court decisions banning discrimination against homosexuals.

In 1996 the US Supreme Court (in *Romer v. Evans*) overturned the Colorado law saying it violated the federal constitution. The court said, "We must conclude that Amendment 2 classifies homosexuals not to further a proper legislative end but to make them unequal to anyone else. This Colorado cannot do. A state cannot so deem a class of persons a stranger to its laws. Amendment 2 violates the equal protection clause."

Apparently it was the fact that the constitutional amendment prohibited granting rights to homosexuals in the future, while still allowing the granting of rights to other groups, that caused the court to rule that Amendment 2 violated the equal protection clause of the US Constitution.

Similarly, any California initiative that says no rights can be granted to same-sex couples, but rights can still be granted to other couples, would seem to violate the Supreme Court's ruling in *Romer v. Evans*.

So even if one of these initiatives to take away the rights of domestic partners passes in November, it may be overturned by the courts. But don't hold your breath. Amendment 2 was not overturned until four

Same-sex marriage

Continued from page 1

The decision directs state officials who supervise the enforcement of the state's marriage laws to ensure that local officials comply with the court's ruling and permit same-sex couples to marry. The decision becomes final in 30 days unless that period is extended by court order. Thus same-sex couples should be able to obtain marriage licenses in California by June 15. People wishing to marry may obtain marriage licenses at the office of their county clerk recorder.

This decision continues a tradition of ground-breaking decisions by the court. For example, in 1948, in *Perez v. Sharp*, it became the first supreme court in this nation to rule that laws banning interracial marriages are unconstitutional. In 2005, in *Koebke v. Bernardo Heights Country Club*, the California Supreme Court ruled that California law prohibits a country club from offering membership fee discounts to married couples while refusing to offer them to registered domestic partners.

Boyce Hinman, chief lobbyist, noted that Lambda Letters has worked hard in support of the right of same-sex couples to marry in California: "The members and friends of the Project have delivered well over 50,000 letters and e-mails to elected officials in support of three bills in the California legislature that would have allowed same-sex couples to marry in our state." Two of those three bills (AB 849 and AB 43) were approved by the legislature but then vetoed by Governor Schwarzenegger.

When he vetoed AB 43, the governor sent this message to the legislature: "In 2000, the voters approved Proposition 22, a challenge to which is currently pending before the California Supreme Court. I maintain my position that the appropriate resolution to this issue is to allow the court to rule on Proposition 22." Well, now the Supreme Court has spoken and it has declared that same-sex couples do indeed have the right to marry in California. 

years after its passage in Colorado. Also, we have a very different Supreme Court now than we did in 1996. The current court is much more conservative. It may not follow the precedent established in *Romer v. Evans*. So the best course for us is to do all we can to assure that these onerous initiatives do not pass in the first place. 

California Dream Act

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AB 540 allows undocumented immigrants to pay in-state tuition if they:

- Attended high school in California for three or more years
- Graduated from a California high school or passed the GED
- Filed an affidavit with the college or university stating that they have applied for a lawful immigration status or will apply as soon as they are eligible to do so

The passage of AB 540 opened a window of opportunity for the first time for many young people who had lived here for most of their lives.

But there is a problem. Many of these would-be students are on a limited income. Any other student on a limited income would have the opportunity to apply for one of several possible scholarships or student aid programs. But students who are eligible to attend college at in-state tuition rates (under AB 540) are prohibited from applying for these scholarships.

This doesn't make sense. Allow them to attend college, but don't provide them with the scholarships that will make it possible? Many of these youth are bright, promising people who can add a lot to the support and advancement of our society if they are allowed to get a college education.

SB 1301 is a good bill and Lambda Letters has been happy to support it. 

LGBTI issue

Continued from page 3

AB 2654 does another excellent thing. It says that any time an item is added to the list of prohibited forms of discrimination in the Unruh Civil Rights Act, the lists in all the laws covered by AB 2654 will be changed as well.

This is a good practice because it protects all the people who should be protected, and does so with a uniform set of rules that makes it easier for businesses to comply with the law. AB 2654 is good legislation. Please urge the Senate Judiciary Committee to support this important bill. 

Same-sex marriage: Now what?

By Boyce Hinman, chief lobbyist

On May 15 the California Supreme Court ruled that a ban on same-sex marriage in California is in violation of the state constitution. In a four to three ruling, the court stated that such a ban is an unconstitutional infringement on a same-sex couple's right to marry, and violates their right to equal protection under the California constitution.

This decision invalidates Proposition 22, which California voters approved in 2002. That proposition said that "only marriage between a man and a woman is valid or recognized in California." But Proposition 22 created only legislation; it did not amend the state's constitution. So the majority opinion of the Supreme Court said the constitutional right to marry, and to equal protection under the law, invalidates Proposition 22.

It is interesting to note that at least one justice who opposed overturning the ban at this time, Justice Corrigan, said that same-sex couples should be allowed to marry, but that it should not come as the result of a decision by the state Supreme Court. In her separate opinion, Justice Corrigan said that sentiment among the public seems to be moving in the direction of approving same-sex marriage and, if left alone, the people might actually vote to approve same-sex marriage at some time in the near future. Her opinion suggested that the Supreme Court's decision to overturn the ban might cause a backlash that would have the opposite effect. As evidence of this, she cited the constitutional amendment initiatives to ban same-sex marriage that are being proposed for this fall's ballot.

At any rate, same-sex marriage will soon be legal in California. The court said its ruling will take effect in 30 days. That means that same-sex couples should be able to get marriage licenses on June 16. In Sacramento the county clerk's office reports that they are being flooded with calls. They have already scheduled appointments for 30 same-sex couples to apply for marriage licenses, and to get married in a ceremony at the clerk's office on June 16. That is the

maximum they could handle for that day.

People wishing to get marriage licenses in Sacramento County can go to the county clerk recorder's office at 600 8th Street, Room 121. They can also get married at that office with a member of the county clerk's staff officiating. People should bring a friend to sign as a witness to the marriage license documents or, for a fee, a staff member in the office can sign as a witness.

However, people who just walk into the office may have to wait a long time to be served. People will get faster service if they call the county clerk's office and make an appointment to get a marriage license and be married. To do this, call (916) 874-6131.

If you live in a county other than Sacramento, you can get the phone number and address of your county clerk's office on the web. Direct your web browser to www.sos.ca.gov/elections/elections_d.htm and then click the name of your county to get the county elections officials contact information. You can also look for County Clerk Recorder in the phone directory listing of county offices.

There are costs involved. In Sacramento, the fee for getting a marriage license is \$77, the fee for the wedding ceremony is \$31, and the fee for a certified copy of the marriage license is \$13. Fees vary from county to county, but they will probably be similar to Sacramento's fees.

There are some things you should know that may affect the future validity of marriage licenses issued to same-sex couples. Recently the opponents of marriage equality submitted over one million signatures on a petition to put an anti-marriage equality constitutional amendment initiative on the November ballot. That initiative would amend the state constitution to say, "only marriage between a man and a woman is valid or recognized in California."

Because this is an actual constitutional initiative, if it is approved by the voters in November, it would, in essence, overturn the recent Supreme Court decision. The secretary of state's office is now reviewing the signatures to see if there are enough valid signatures to qualify the initiative for the November ballot. They need 694,354 valid signatures to qualify. The secretary of state is expected to announce the result of the review in early June, after the mailing of this newsletter.

I have consulted with staff at both Equality California and the National Center

for Lesbian Rights. They each say it is unclear, at this point, whether marriages that occur before passage of the initiative would remain valid if the constitutional initiative passes. No doubt the courts would make the final determination on that question.

There is a fairly good chance that the initiative will not pass. The court decision, and the sight of same-sex couples marrying, is liable to drive more conservatives to the polls to vote in favor of the initiative. However, recent surveys indicate that younger voters are much more receptive to same-sex couples getting married. Also, Barack Obama may be on the ballot this fall. All during the presidential primary campaign he has been bringing out huge numbers of voters, and many of them have been young people. So he may bring many young liberal voters to the polls in California who could provide the majority needed to defeat the anti-marriage initiative.

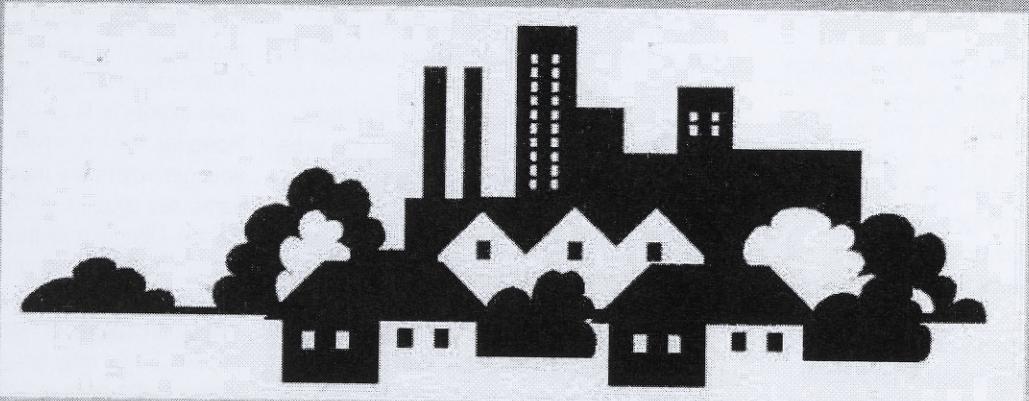
Still, it is not a shoo-in. Our side will have to work hard to persuade the voters to oppose the initiative. But with hard work we may yet win the day. 

Harvey Milk bill passes Assembly

By Boyce Hinman, chief lobbyist

On May 19 the California Assembly approved AB 2567. This bill would require the governor to proclaim May 22 of each year as Harvey Milk Day, and would designate that date as having special significance in public schools and educational institutions, and encourage those entities to conduct suitable commemorative exercises on that date.

Harvey Milk was the first openly gay person to be elected to public office in a major city, serving on the San Francisco Board of Supervisors from 1977 to 1978. Sadly he was assassinated the day after Thanksgiving in 1978. His birthday, May 22, was the day chosen to commemorate him. If AB 2567 is approved by the legislature and signed by the governor, California will become the first state in the union to commemorate the life of an openly gay person. 



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